



Order Filed on March 12, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Jeanette F. Frankenberg, Esq.
Ashley L. Rose, Esq.
Stern Lavinthal & Frankenberg LLC
105 Eisenhower Parkway - Suite 302
Roseland, NJ 07068
Telephone Number (973) 797-1100
Facsimile Number (973) 228-2679
Attorneys for Secured Creditor,
*Seterus, Inc., as authorized sub-servicer for
Federal National Mortgage Association ('Fannie
Mae'), a corporation organized and existing
under the laws of the United States of America*

In Re:

Mark Russo
Mary T. Russo

Debtor(s)

Case No.: 17-24543-MBK

Chapter: 13

Hearing: March 6, 2018

Judge: Michael B. Kaplan

ORDER RESOLVING MOTION FOR RELIEF

The consent order set forth on the following pages, numbered two (2) through three (3),
is hereby **ORDERED**.

DATED: March 12, 2018

A handwritten signature in black ink, appearing to read "Michael B. Kaplan".

Honorable Michael B. Kaplan
United States Bankruptcy Judge

Page | 2

Debtor: Mark Russo & Mary T. Russo

Case No: **17-24543-MBK**

Caption: Order Resolving Motion for Relief

Applicant:	<u>Seterus, Inc.</u>
Applicant's Counsel:	<u>Stern Lavinthal & Frankenberg, LLC</u>
Debtor's Counsel:	<u>David E. Finch, Esq.</u>
Property Involved ("Collateral"):	<u>42 Old Smalleytown Rd., Warren, NJ 07059</u>

Relief sought:

- ✓ Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 7 months, from August 1, 2017 to February 1, 2018.
- The Debtor is overdue for 2 payments at \$2810.71 per month.
- The Debtor is overdue for 5 payments at \$2386.05 per month.

Total Arrearages Due \$17,551.67

2. Debtor must cure all post-petition arrearages, as follows:

- Immediate payment shall be made in the amount of \$7,551.67. Said payment shall be received on or before March 9, 2018.
- Beginning on March 1, 2018, regular monthly mortgage payments shall continue to be made in the amount \$2,386.05.
- Beginning on April 1, 2018, additional stipulation payments in the amount of \$1,666.67 shall be remitted for six (6) months.

3. Payments to the Secured Creditor shall be made to the following address(es):

- ✓ Immediate payment: Seterus, Inc.
P.O. Box 1047
Hartford, CT 06143

Page | 3

Debtor: Mark Russo & Mary T. Russo

Case No: **17-24543-MBK**

Caption: Order Resolving Motion for Relief

-
- | | |
|---------------------------------|---|
| ✓ Regular monthly payment: | <u>Seterus, Inc.</u>
<u>P.O. Box 1047</u>
<u>Hartford, CT 06143</u> |
|
 | |
| ✓ Monthly stipulation payments: | <u>Seterus, Inc.</u>
<u>P.O. Box 1047</u>
<u>Hartford, CT 06143</u> |

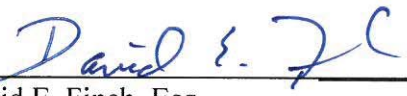
In the event of Default:

If the Debtors fail to make the immediate payment specified above or fail to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.

4. Award of Attorneys' Fees:

- ✓ The Applicant is awarded attorney's fees of \$350.00 and costs of \$181.00

The undersigned hereby consent to the form and entry of the foregoing order



David E. Finch, Esq.
Attorney for the Debtors

/s/ Jeanette F. Frankenberg
/s/ Ashley L. Rose

Jeanette F. Frankenberg, Esq.
Ashley L. Rose, Esq.
Attorney for Secured Creditor